

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN EPPS,

Petitioner,

No. CIV-S-04-1047 MCE KJM P

VS.

TOM L. CAREY,

## Respondent.

## ORDER

Petitioner has requested the appointment of counsel. There currently exists no appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing

In the present case, the court does not find that the interests of justice would be appointment of counsel at the present time.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's March 22, 2007  
2 request for appointment of counsel is denied without prejudice to a renewal of the motion at a  
3 later stage of the proceedings.

4 DATED: March 30, 2007.

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6 U.S. MAGISTRATE JUDGE

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